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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,007	10/10/2000	Donald J. Palmer	10006545-1	4378

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

TRAN, LAMBERT L

ART UNIT	PAPER NUMBER
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2142

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DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/686,007

Applicant(s)

PALMER ET AL.

Examiner

Lambert L. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to the application filed on 10 October 2000.

Priority

2. No claim for priority has been made in this application.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 10 October 2000 (paper #2) has been considered by the Examiner (see attached PTO 1449).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leiman et al., U.S. Patent No 6,469,796, hereinafter referred to as Leiman, in view of Motoyama et al., U.S. Patent No 6,631,247, hereinafter referred to as Motoyama.

6. In regard to claims 1, 8-9, Leiman disclosed:

defining a print managing system controller (print server) having the print services provided by the print provider (output manager) registered therewith [see Leiman , ABSTRACT, col. 1, lines 61-67, col. 2, lines 1-2, figure 2 and figure 3];

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defining a network communication link between the print provider and the print managing system controller [see Leiman, col. 1, lines 61-67, col. 2, lines 1-2, and figure 2].

7. However, Leiman did not expressly disclose:

collecting data related to the print services provided by the print provider with the print managing system controller; and

analyzing the data related to the print services provided by the print provider.

8. In the same field of communicating with machines connected to a network [see Motoyama, ABSTRACT], Motoyama disclosed:

collecting data related to the print services provided by the print provider (network printer) with the print managing system controller (service center) [see Motoyama, col. 22, lines 10-19, col. 2 lines 26-30]; and

analyzing (create informational reports) the data related to the print services provided by the print provider [see Motoyama, col. 21, lines 44-46]. An ordinary artisan in the art at the same time the invention was made, would have been motivated to look to a way to enhance the communication and feedback between the print provider and the print managing system controller for better servicing the system as well as for planning purpose because it takes approximately twenty minutes to an hour to reconfigure the mainframes and switch of network print server system [see Leiman, col. 1, lines 38-45].

9. Accordingly, it would have been obvious to one of ordinary skill in the distributed print server art at the time the invention was made to have incorporated Leiman teachings with the teachings of Motoyama's, for the purpose of providing a system that is complete and responsive, for example, urgent information about a resource or a device is transmitted to the resource

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manager and it then can initiate corrective action to resolve the problem [see Motoyama, col. 3, lines 4-7].

10. For the rationale set forth above, claims 1, 8-9 are rejected.

11. In regard to claims 2, 10, Leiman disclosed: *the network communication link includes defining an Internet communication link between the print provider and the print managing system controller* [see Leiman, col. 3, lines 49-52, and figure 2].

12. In regard to claims 3, 11-13, 17-18, the combination inventions Leiman and Motoyama disclosed: *cost data, production data, operating cost, revenue, and profitability, consumption and productivity* (job accounting files, job accounting records, other information) [see Leiman, col. 5, lines 28-33, see Motoyama, col. 21, lines 44-46].

13. In regard to claims 4, 14, the combination inventions Leiman and Motoyama disclosed: *generate statistics, report the statistics* (report queue, resources display window, copies per job per machine) [see Leiman, col. 8, lines 26-41, see Motoyama, col. 22, lines 9-21, and figure 27].

14. In regard to claims 5-7, 15-16, 20, the combination inventions Leiman and Motoyama disclosed: *job ticket, cost data, statistics of the job ticket* (ticket, report ticket, unique identifier) [see Leiman, col. 8, lines 46-49, see Motoyama, col. 6, lines 41-43].

15. In regard to claim 19, the combination inventions Leiman and Motoyama disclosed: *customer identification and print job attributes* (user name, account name, header information) [see Leiman, col. 5, lines 1-4, see Motoyama, col. 19, lines 25-26, and lines 41-43].

16. Since all the claims limitations are taught by the combination inventions of Leiman and Motoyama, claims 1-20 are rejected.

17. Claims 1-2, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klatt et al., U.S. Patent No 6,415,277, hereinafter referred to as Klatt, in view of Lynch et al., U.S. Patent No 6,581,097, hereinafter referred to as Lynch.

18. In regard to claims 1, 8-9, Klatt disclosed:

defining a print managing system controller (procurement system) having the print services provided by the print provider (print production system) registered therewith [see Klatt, ABSTRACT, col. 3, lines 50-53, figure 2 and figure 3];

defining a network communication link between the print provider and the print managing system controller [see Klatt, col. 4, lines 26-27, and figure 3].

19. However, Klatt did not expressly disclose:

collecting data related to the print services provided by the print provider with the print managing system controller; and

analyzing the data related to the print services provided by the print provider.

20. In the same field of distributed printing, Lynch disclosed:

collecting data (accounting) related to the print services provided by the print provider (print service clients, print server) with the print managing system controller (Instream clients) [see Lynch, col. 5, lines 21-29, and figure 1B]; and

analyzing (determine optimal) the data related to the print services provided by the print provider [see Lynch, col. 5, lines 21-29]. An ordinary artisan in the art at the same time the invention was made, would have been motivated to look to a way to further automate the distributed printing process, because every time a human touches the information, the process is

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delayed and the possibility exists that an error will be introduced [see Klatt, col. 2, lines 10-12, and lines 34-35].

21. Accordingly, it would have been obvious to one of ordinary skill in the distributed print server art at the time the invention was made to have incorporated Klatt teachings with the teachings of Lynch, for the purpose of maximizing efficiency through optimal use of equipment and decision making tools [see Lynch, col. 1, lines 61-62].

22. For the rationale set forth above, claims 1, 8-9 are rejected.

23. In regard to claims 2, 10, Klatt disclosed: *the network communication link includes defining an Internet communication link between the print provider and the print managing system controller* [see Klatt, ABSTRACT, and figure 3].

24. In regard to claims 3, 11-13, 17-18, Lynch disclosed: *cost data, production data, operating cost, revenue, and profitability, consumption and productivity* (detail production, accounting) [see Lynch, col. 5, lines 21-29].

25. In regard to claims 4, 14, Lynch disclosed: *generate statistics, report the statistics* (time and expense, report, production activities) [see Lynch, col. 5, lines 21-29].

26. In regard to claims 5-7, 15-16, 20, Lynch disclosed: *job ticket, cost data, statistics of the job ticket* [see Lynch, ABSTRACT, col. 5, lines 21-29, col. 6, lines 4-8].

27. In regard to claim 19, the Lynch disclosed: *customer identification and print job attributes* (job properties) [see Lynch, col. 7, lines 16-23].

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Boswell, U.S. Patent No 5,559,933, disclosed distributed enterprise print controller.
- b. Shiota et al., U.S. Patent No 6,324,521, disclosed network photograph service system.
- c. Naito et al., U.S. Patent No 6,628,417, disclosed data communication apparatus, image server, control method, storage medium, and image system.
- d. Koppich et al., U.S. Patent No 6,636,329, disclosed software architecture for cable television home printing system.
- e. Kolls, U.S. Patent No 6,629,080, disclosed transaction processing method of fulfilling an electronic commerce transaction.
- f. Sperry et al., U.S. Patent No 5,995,723, disclosed client subsystem for changing document/job attributes in a network printing system.
- g. Bacon, J. et al., "Access Control for a Modular, Extensible Storage Service", University of Cambridge, England, IEEE Proceedings on Distributed and Networked Environment, PP 108-114, June, 1994.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lambert L. Tran whose telephone number is (703) 305-4663.

The examiner can normally be reached on M-F at 9AM - 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9700.

L.L.T
Assistant Examiner
GAU 2142
November 3, 2003

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